

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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|---------------------------------------|---|---------------------|
| UNITED STATES OF AMERICA, | : | CIVIL ACTION |
| <i>ex rel. JULIET MBABAZI, et al.</i> | : | |
| | : | |
| <i>Plaintiffs/Relators</i> | : | NO. 19-2192 |
| | : | |
| v. | : | |
| | : | |
| WALGREEN CO. | : | |
| <i>Defendant</i> | : | |

ORDER

AND NOW, this 28th day of September 2021, upon consideration of Defendant's *motion to dismiss relators' complaint*, [ECF 21], Relators' opposition thereto, [ECF 26], Defendant's reply, [ECF 29, 31], and the allegations in the complaint, [ECF 1] it is hereby **ORDERED**, for the reasons set forth in the accompanying Memorandum Opinion, that:

- (1) Defendant's motion is **DENIED** with respect to Relators' implied false certification claims;
- (2) Defendant's motion is **GRANTED**, *with prejudice*, with respect to Relators' reverse false claim;
- (3) Defendant's motion is **GRANTED**, *without prejudice*, with respect to Relators' express false certification claims *and* claims premised on Defendant's handling of MCO claims for payment. Relators may file an amended complaint reasserting these claims if warranted by the facts and applicable law set forth in this Court's Memorandum Opinion, within fourteen (14) days of this Order.

BY THE COURT:

/s/ Nitza I. Quiñones Alejandro
NITZA I. QUIÑONES ALEJANDRO
Judge, United States District Court